

of Ethiopians live on less than \$1 per day, and almost half the population is undernourished. Drought has plagued Ethiopia for decades, leaving the country stripped of the natural resources required to feed its citizens. During the past 20 years, five major droughts have destroyed crops and livestock, and have left many people with few personal belongings.

Ethiopia is of strategic importance to the United States, and its stability is crucial to the Horn of Africa and our efforts in the global war on terrorism. Ethiopia shares borders with nations plagued by civil war and government instability, which impede famine relief efforts. In response to the famine in Ethiopia, USAID is transitioning its emergency response famine program to be more proactive. Revamping this program will help stimulate economic growth in the country. The hope is to permanently reduce famine-related poverty and hunger by increasing the government's capacity to respond effectively to these crises. In addition, famine relief efforts will be assisted by nongovernmental organizations, the private sector, and local communities and households.

Finally, years of internal armed conflict and political instability have caused severe food shortages in Sudan. Southern Sudan, ravaged by civil war, may face the return of millions of internally displaced people following the signing of the Comprehensive Peace Agreement in January 2005. A quarter of the Sudanese population is undernourished, and an estimated 3 million people will be in need of food assistance as they return to their homes.

In western Sudan, the violence in the Darfur region has culminated in the first genocide of this century. In February 2003, fighting erupted between rebel groups and government backed militias. The United Nations estimates that more than 70,000 people have been killed in this conflict, while other organizations believe the actual number is three to four times higher. As a result of ongoing ethnic violence, approximately 2 million people have been internally displaced, and 220,000 refugees have fled to neighboring Chad.

Famine remains a distinct possibility, with need far outweighing the ability of government and nongovernment agencies to deliver food aid. Prior to the crisis in Darfur, an estimated 18 percent of Sudanese suffered from natural malnutrition. Today, 3.5 million people in Darfur are hungry, with numbers expected to skyrocket until the conflict is resolved. Relief efforts have slowed considerably due to widespread violence. Furthermore, refugees and internally displaced people are not expected to return to their homes for the next planting season. As the rainy season approaches, flooding will likely hamper our ability to adequately distribute food aid. Finally, the World Food Program recently announced that it must reduce daily rations in Darfur and eastern Sudan to as little as 1,050

kilocalories, or 50 percent of the daily minimum requirement, due to funding shortfalls.

I briefly described the food shortage crises facing five impoverished and vulnerable countries. This is a snapshot of the reality millions face each day—including those who live in the United States. Each statistic represents a person struggling to survive, not knowing where their next meal will come from—if it will come at all. In many situations, people remain poor and powerless with virtually no hope of breaking the cycle of despair. We can no longer use ignorance as an excuse for our inaction.

Without question, assisting fellow human beings in need is a moral issue. However, in many of these war-torn and troubled nations it is also an issue of national security. Countries that are politically unstable and ravaged by hunger and disease are often breeding grounds for terror and violence. After all, it wasn't long ago that Osama bin Laden based his operations in Sudan in order to export terrorism and attack innocent civilians.

As our world becomes increasingly interconnected, poverty abroad cannot be ignored. Political instability and infectious disease know no border and can affect us at home. Sadly, too often instances of extreme hunger and famine do not invoke action among the world's most powerful nations until it is too late—leaving millions dead or forever suffering from the consequences of chronic malnutrition. Our inaction is not because we don't care, but I do believe the United States should be more proactive, and not reactive, in ending hunger and poverty.

The Federal budget is a reflection of our Nation's values and priorities. The Bush administration has made clear its priorities by extending tax cuts to the fabulously wealthy, while deeply cutting funds for hunger prevention and poverty programs. Less than half of 1 percent of our budget goes to fighting poverty, hunger, and disease. The United States is the most powerful and wealthy nation in the world. We should be a leader in ending hunger and poverty, and we can begin by standing up for those at home and abroad who are in dire need of assistance.

DARFUR PEACE AGREEMENT AND SUDAN

Mrs. CLINTON. Mr. President, for nearly 3 years, the Government of Sudan has conducted genocide in Darfur. The United Nations, the African Union, the U.S. State Department, and many other organizations possess detailed descriptions of these crimes against humanity. This enormous body of evidence demonstrates unequivocally that the Government of Sudan and its jingawit proxies have attacked, uprooted, raped, starved, enslaved, and killed millions of civilians.

In Congress, we have written letters, introduced and adopted legislation, and

spoken out strongly. We have supported the African Union peacekeepers, the international relief workers, and the people of Darfur. In March, I sent a letter to President Bush detailing 13 steps that should be taken to address the crises in Sudan. I reiterate the steps that are suggested. These include appointment of a Presidential Envoy to Sudan; rapid preparation and deployment of additional, well-equipped, robustly-mandated international peacekeepers to Darfur; urgent assistance to the African Union, including by NATO; and multilateral enforcement of existing U.N. resolutions that establish a no-fly zone over Darfur and hold accountable those who have committed crimes.

Thousands of Americans, including many New Yorkers, have taken a strong and personal interest in the crisis in Darfur. I have heard their voices and frustration. The situation on the ground is still dire. As we lament this crisis today, four million people in Darfur and eastern Chad now depend on relief organizations for survival—one million more than a year ago.

The alarm issued on May 19 by the United Nations Under Secretary General for Humanitarian Affairs, Jan Egeland, is therefore especially distressing. Despite the hopeful signing of the Darfur Peace Agreement on May 5 by the Government of Sudan and one of the main Darfur rebel groups, the work of aid workers remains sharply constrained by violence, funding shortfalls, and restrictions being imposed by the Government of Sudan. Civilians continue to be attacked and sexually-brutalized by Sudanese armed forces, the jingawit, and rebel groups. On May 19, Mr. Egeland warned, "We can turn the corner towards reconciliation and reconstruction, or see an even worse collapse of our efforts to provide protection and relief to millions of people." In eastern Chad, Mr. Egeland said, "we are confronted with a very dangerous vacuum that is being filled by rebels, militia and others, leaving civilians, internally displaced persons, refugee camps and relief workers utterly exposed."

In the context of Sudan's history, this post-peace agreement reality is not unique. Nor is it surprising. The genocide in Darfur, in the west, began just as the Government of Sudan concluded a horrific, 20-year campaign of violence in the south—a campaign that laid waste to the institutions and infrastructure of southern Sudan. That conflict was brought to an end more than 1 year ago through the Comprehensive Peace Agreement (CPA)—but conditions in southern Sudan remain grim. Deputy Secretary of State Robert Zoellick said recently that the challenge in southern Sudan is not one of re-construction, but rather of basic construction; years of conflict have destroyed nearly everything.

Even so, the National Congress Party in Khartoum—the signatory to the CPA with the means and the mandate

to implement many of its provisions—has moved ahead very slowly and selectively. Khartoum is failing to deliver on some of the most important provisions of the CPA, including those related to the resolution of disputed boundaries, the sharing of oil wealth, and the timely withdrawal of armed forces. Displaced and enslaved southerners are not being returned as promised to their homes. Incursions by the Lord's Resistance Army and other armed groups continue, often with impunity. Amidst these circumstances, the Government of Southern Sudan faces great challenges in providing basic goods to the people—basic goods such as roads, electricity, schools, hospitals, food, and clean water. By dragging its feet and turning a blind eye, Khartoum is abdicating its commitments under the CPA, and perpetuating the suffering of the southern Sudanese.

If things do not change quickly in southern Sudan, today's fragility may tomorrow become chaos, with grave and deadly consequences for millions of civilians. The United States can, and must, do more. We should support the continued development of the Government of Southern Sudan, and urgently assist its provision of food, health care, shelter, and security to the southern peoples. In addition, we should expedite the safe, voluntary return of displaced southerners to their homes and families.

More broadly, we should closely monitor security conditions, humanitarian access, and implementation of the peace agreements in both southern Sudan and Darfur. We must hold the signatories to their word and bring other groups on board. The Government of Sudan must fulfill its pledges to desist from military offensives; accept international peacekeepers; disarm the jingawit by mid-October, 2006; and take clear steps to share power and wealth with the south and west. Members and sponsors of the jingawit should be held accountable for their gruesome crimes, and not simply integrated into the national army. Relief workers and supplies must immediately be provided free and safe access to the peoples of Sudan—by the rebels, the jingawit, and the Government of Sudan. If the National Congress Party in Khartoum fails to uphold its commitments or its broader obligations under international law, it must face consequences—especially if its failure erodes the security of civilians or aid workers. The possible sanctions and no-fly zone that have been authorized by the U.N. Security Council can compel compliance. In the meantime, to transform the Darfur Peace Agreement into peace, we need to immediately strengthen the African Union's ability to protect civilians and aid workers.

Even with the commendable field work of the African Union, the United Nations, and many relief organizations, we must not lose focus on the current problems in Sudan. We must urgently

support the work of these partners and together ensure that peace and justice prevail for the peoples of Sudan.

I ask unanimous consent that the letter to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 15, 2006.

Hon. GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I write with great concern about the crisis in Sudan. Despite the work of the African Union, violence against civilians and aid workers in Darfur is increasing and spilling across the border into Chad. Between 200,000 and 400,000 people have been killed, and United Nations Secretary-General Kofi Annan and other credible experts continue to warn that three million civilians are displaced and at risk in Darfur and in eastern Chad. The situation in eastern Sudan is also of concern.

The United States and United Nations (U.N.) now possess extensive, official accounts of the violence and, through a U.N. Panel of Experts and other sources, we also know who may be responsible. The Government of Sudan—reported by the U.S. State Department on March 8, 2006 to be responsible for the genocide in Darfur—continues to deny the existence of a crisis. It continues to threaten retaliation against an international intervention, and, according to a U.N. report dated January 30, 2006, it continues to introduce additional military aircraft into Darfur. The United States can and must do more. Below are 13 ways in which you can take action.

Convene a meeting of world leaders to address the crisis in Darfur. For 100 weeks, the international community has watched, with little meaningful response, as the first genocide of this millennium has been carried out by the Government of Sudan against the people of Darfur. I urge you to convene, without delay, a meeting between leaders of the United Nations, the North Atlantic Treaty Organization (NATO) and the African Union, and other interested world leaders, to map out an action-plan for Darfur. The millions of displaced victims in Darfur deserve at least this much.

Appoint a Presidential Envoy to Sudan. To promote lasting peace in both Darfur and eastern Sudan, and to demonstrate U.S. commitment to peace negotiations and agreements, I urge you to consider the appointment of a Presidential Envoy to Sudan. Like Senator Danforth, your previous Envoy to Sudan, a new Envoy should participate personally in peace talks, oversee and coordinate U.S. engagement in Sudan, and report directly to you on these efforts.

Lead the U.N. Security Council in authorizing a peacekeeping mission in Darfur. To protect civilians from continued violence—much of which is documented explicitly in a 42-page U.N. report published on January 27 and the U.N. Secretary-General's monthly reports to the Security Council—I urge you to push the U.N. Security Council to authorize, under Chapter VII, a U.N. peacekeeping mission in Darfur.

On January 12 and March 10, 2006, the African Union endorsed this mission in principle. U.N. Secretary-General Kofi Annan has begun planning this mission, in accordance with the U.N. Security Council's Presidential Statement of February 3, 2006.

Efforts to broker a peace agreement for Darfur must not forestall efforts to protect civilians. Our continued inaction will enable the killings to continue. This fact cannot be ignored.

A U.N. mission in Darfur must now be authorized with a clear and robust mandate to protect civilians; and be supplied with the troops, air- and ground-mobility, and communications network required to fully implement that mandate.

The Government of Sudan must either cooperate with this mission or face sanctions, in accordance with the existing U.N. Security Council Resolutions that are described below.

Support the African Union. According to U.N. officials, deployment of U.N. peacekeepers to Darfur may take six to nine months. To protect civilians in the interim, I urge you to support the African Union peacekeeping mission in Darfur in two ways. First, I urge you to support the funding needs of the African Union mission for the next nine months. As you know, the United States' share of these costs is estimated at \$10 million per month.

Second, in accordance with United States Senate Resolution 383, which I co-sponsored, I urge you to lead NATO in providing assistance to the A.U. peacekeepers in Darfur, particularly in the areas of command and control, logistics, intelligence, and airlift. I called for NATO assistance in Darfur more than 12 months ago, at the Munich Conference on Security. Since then, NATO has been helpful, particularly with airlift, but it can and should do more.

Third, to improve the ability of the existing African Union peacekeepers to deter violence, I urge you to explore mechanisms that would provide African Union commanders in Darfur with specific, timely, standardized information about imminent attacks against civilians in Darfur.

Enforce the no-fly zone that has been established by the U.N. Security Council and endorsed by the U.S. Congress. Despite the enactment of a no-fly zone by the U.N. Security Council in March 2005—nearly one year ago—the Government of Sudan continues its aerial assaults against civilians in Darfur. This is unacceptable, and I urge you to work with members of NATO, the U.N. Security Council, and the African Union to immediately enforce the ban on offensive overhead flights in Darfur that was established by Security Council Resolution 1591.

On March 2, 2006, the U.S. Senate adopted Resolution 383 calling on you to take steps to enforce the no-fly zone in Darfur. Senator Biden and others have suggested that enforcement of the flight ban would require no more than 12 to 18 fighter planes and a handful of AWACs. I urge you to work with other countries to mobilize these resources, and to ensure that the Government of Sudan ceases its overhead assaults. Our continued failure on this issue is unacceptable.

Similarly, I urge you to raise with Khartoum the findings of a U.N. report dated January 30, 2006, which suggest that the Government of Sudan continues to introduce additional offensive military aircraft into Darfur.

Lead the U.N. Security Council in enforcing Resolution 1591, to freeze the assets and travel of certain dangerous individuals. I urge you to work with other members of the U.N. Security Council to fully implement Resolution 1591, which authorized the Security Council to impose travel bans and asset freezes on any individuals believed by a Panel of Experts to constitute a threat to stability, to violate international human rights law, to impede the peace process, or to conduct offensive overhead military flights.

The Panel of Experts has identified several individuals who have perpetrated such violations of international law, and these individuals must be prevented from organizing or perpetrating additional violence, and be sanctioned in full accordance with Resolution 1591. At the very least, the Security

Council should call the named individuals to the United Nations for dialogue and questioning.

Lead the U.N. Security Council in enforcing Resolution 1564, to hold accountable the Government of Sudan for its documented failure to meet its international obligations to end violence and protect civilians in Darfur. I urge you to work with the U.N. Security Council to fully implement Resolution 1564, which calls on the Security Council to consider "additional measures as contemplated in Article 41 of the Charter of the United Nations, such as actions to affect Sudan's petroleum sector and the Government of Sudan or individual members of the Government of Sudan," if the Government of Sudan fails its previous obligations under international law, including U.N. Security Council Resolution 1556 and the Joint Communiqué dated July 3, 2004.

Several official reports, including a U.N. report published on January 27, 2006, demonstrate unequivocally that the Government of Sudan has failed its obligations. It has failed to protect civilians in Darfur, and it has failed to punish members of the military and the Janjaweed for violations of international human rights law. These realities and Resolution 1564 should now compel the Security Council to consider Article 41 measures against the Government of Sudan.

Ensure that the U.N. Security Council listens to the experts. I urge you to convene a briefing for members of the Security Council by experts who can describe the situation in Darfur, eastern Chad, and eastern Sudan. The Security Council should hear testimony from Juan Mendez, Special Advisor to the Secretary-General on the Prevention of Genocide. As you know, the Security Council did not allow Mr. Mendez to present his observations in October 2005.

Stop the violence from spreading into Chad. I urge you to monitor tensions along the Chad-Sudan border and to focus the U.N. Security Council on this important issue. The U.N. Secretary-General noted in his January 30 report to the Security Council that "there has been a worrying build-up of armed forces of the two States and local militias on both sides of the border," and that "it is vitally important that the situation in the border areas of Chad and the conflicts in the Sudan do not combine to propel the two countries and the whole region towards confrontation and conflict."

More specifically, I urge you to work with the Security Council and the African Union to monitor implementation of the February 8, 2006 accord between the Presidents of Chad and Sudan, and to deter all parties from escalating the conflict. The safety of at least three million civilians along the Chad-Sudan border depends on your attention to this issue.

Call publicly for better behavior from Khartoum. Using Resolutions 1591 and 1564 and other points of leverage, I urge you to call on the Government of Sudan—particularly the National Congress Party in Khartoum—to immediately desist from violence against civilians; protect safe passage for aid workers; cooperate fully with international peacekeepers; engage constructively in the peace talks in Abuja; diffuse tensions along the Chad-Sudan border; and disarm and punish the Janjaweed and other groups responsible for genocidal violence in Darfur.

I urge you to call similarly on the Government of Sudan to implement the Comprehensive Peace Agreement without delay and in full consultation with the Government of Southern Sudan, and to protect civilians and peacefully address the situation in eastern Sudan.

Work with the U.N. Security Council to address attacks by rebel groups in Darfur. I

urge you to work with the Security Council to make it clear to all rebels and perpetrators of violence in Sudan and Chad that attacks against civilians and aid workers are violations of international law; and that continued international consideration of their grievances depends directly upon their immediate cessation of violence against civilians.

Plan for reconstruction in Darfur. Through a new Presidential Envoy or other U.S. officials, I urge you to begin working with the World Bank and other stakeholders on a Joint Assessment Mission to plan for reconstruction in Darfur. This may help to accelerate the peace process by demonstrating to the Darfur rebels and the Government of Sudan that peace can bring financial dividends, and, once peace has been established, it will help to speed reconstruction and promote stability.

Support reconstruction in southern Sudan. I urge you to provide strong, material support to the Government of Southern Sudan as it builds a stable state, economy, and society in the wake of decades of conflict. Similarly, I urge you to encourage the Government of Southern Sudan to engage constructively in the Darfur peace negotiations.

During the last century, in Nazi Europe, Cambodia, and elsewhere, the international community failed to protect millions of innocent people from genocide and horrific crimes. We look back and wonder how the world allowed those killings to continue. We must find a way to protect civilians in Darfur, without further delay.

As you know, I and other members of the U.S. Congress recognized the genocide in Darfur in July 2004. In September 2004, then Secretary of State Colin Powell did the same. A few months later, in January 2005, a U.N. International Commission of Inquiry established by U.N. Security Council Resolution 1564 also found strong evidence of genocide in Darfur. In February 2006, Secretary of State Rice said that "genocide was committed and in fact continues in Darfur." Even so, international agreement on the existence of genocide has little connection to the need or basis for action.

Hundreds of acts of violence in Darfur, many constituting crimes against humanity and war crimes—along with specific descriptions of the perpetrators—have been recorded in detail by the U.S. State Department, the United Nations, the African Union, the NGO community, and other organizations. I urge you to read these gruesome accounts, and to also review the list of individuals who have been identified by the U.N.

Panel of Experts established by U.N. Security Council Resolution 1591. In the case of Darfur, we are now obligated by the U.N. Charter, the Responsibility to Protect, several statutes of international human rights law, and existing U.N. Security Council resolutions to transform our awareness into action.

Therefore, I urge you, as President of the United States, to remind the international community of its commitments and to work urgently with the United Nations, the African Union, and NATO to protect civilians and address the growing crises in Darfur, eastern Chad, and eastern Sudan. Thank you for your attention to these urgent matters.

Sincerely,

HILLARY RODHAM CLINTON.

DISSENT TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS REPORT ON S. 147

Mr. AKAKA. Mr. President, I rise today to share information about S. 147, the Native Hawaiian Government

Reorganization Act of 2005. Some of my colleagues have made reference to a recent report issued by the U.S. Commission on Civil Rights which characterizes my bill as race-based legislation. The report itself, however, does not contain any substantive analysis. Rather, it outlines the testimony that was presented to the commission.

I have already shared with my colleagues my dismay and displeasure with the manner in which the Commission considered S. 147. Not once did they contact the Hawaii Advisory Committee to the Commission, which is composed of experts on Hawaii's history, Federal Indian Law, and Federal policies toward indigenous peoples. In addition, during the briefing upon which this report is based, it was clear that certain Commissioners lacked a general understanding of Federal Indian law, a necessary context to understand the existing political and legal relationship between native Hawaiians and the United States.

Commissioner Michael Yaki understood both the history of Hawaii and Federal Indian Law and he, along with Commissioner Arlen Melendez, dissented from the Commission's position that S. 147 is race-based legislation. I ask unanimous consent that Commissioner Yaki's dissent be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISSENTING STATEMENT OF COMMISSIONER
YAKI
COMMISSIONER MELENDEZ CONCURS IN THE
DISSENT

PREFACE

As a person quite possibly with native Hawaiian blood running through his veins, it is quite possible to say that I cannot possibly be impartial when it comes to this issue. And, in truth, that may indeed be the fact. Nevertheless, even before my substantive objections are made known, from a process angle there were serious and substantial flaws in the methodology underlying the report.

First, the report relies upon a briefing from a grand total of 4 individuals, on an issue that has previously relied upon months of research and fact gathering that has led to 2 State Advisory Commission reports, 1 Department of Justice Report, and Congressional action (the "Apology Resolution"), not to mention testimony before the Congress on the NHGRA bill itself that was never incorporated into the record.

The paucity of evidence adduced is hardly the stuff upon which to make recommendations or findings. Even though the Commission, to its credit, stripped the report of all its findings for its final version, does that not itself lend strength and credence to the suggestion that the briefing was flawed from the inception? And if so flawed, how can the Commission opine so strongly upon a record that it could not even find supported now non-existent findings?

Second, aside from ignoring the volumes of research and testimony that lie elsewhere and easily available to the Commission, we ignored soliciting advice and comment from our own State Advisory Commission of Hawaii. Over the past two decades, the Hawai'i Advisory Committee to the United States Commission on Civil Rights (HISAC) has examined issues relating to federal and state